

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TIAN XI YANG,

20 Civ. 815 (JGK)

Plaintiff,

ORDER

- against -

SHANGHAI HEPING RESTAURANT INC., ET  
AL.,

Defendants.

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JOHN G. KOELTL, District Judge:

The Court has reviewed the Report and Recommendation of Magistrate Judge Aaron dated January 14, 2021, ECF No. 50. No objections have been filed to the Report and Recommendation, and the time for any objections has passed. In any event, the Court finds that the Report and Recommendation is well reasoned and correct except the Court notes that, contrary to the statement on Page 3 of the Report, on October 26, 2020, this Court determined that the plaintiff was entitled to a default judgment, but no such judgment was entered at that time because an inquest on damages had not yet occurred. The Court therefore adopts the Report and Recommendation and directs the Clerk to enter judgment awarding the plaintiff (1) \$421,269.50, as described in the Report and Recommendation; (2) pre-judgment interest at a rate of 9% per year from January 14, 2017 until the date judgment is entered on

\$205,634.75, which is the sum of unpaid wages, unpaid overtime, and unpaid spread of hours pay; and (3) \$26,916.47 in attorney's fees and costs.

**SO ORDERED.**

**Dated: New York, New York  
February 8, 2021**

**/s/ John G. Koeltl  
John G. Koeltl  
United States District Judge**